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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/963,819 | 09/26/2001 | Katia Bredo | CM2435 | 1184 |

27752 7590 07/02/2003

THE PROCTER & GAMBLE COMPANY
INTELLECTUAL PROPERTY DIVISION
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EXAMINER

STINSON, FRANKIE L

ART UNIT PAPER NUMBER

1746

DATE MAILED: 07/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/963,819

Applicant(s)

BREDO ET AL.

Examiner

FRANKIE L. STINSON

Art Unit

1746

-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-17 is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Art Unit: 1746

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-7 and 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over either Beaulieu, Valentine or Haberer in view of Bochmann.

Re claims 1 and 3, The patents to Beaulieu, Valentine and Haberer are each cited disclosing a static device for cleaning a liquid-containing vessel, comprising a reservoir that differs from the claim only in the recitation of the energy storage means. Bochmann is cited disclosing in a device suitable for cleaning, energy storage means. It therefore would have been obvious to one having ordinary skill in the art to modify the device of either Beaulieu, Haberer or Valentine, to include a energy storage means as taught by Bochmann, for the purpose of allowing for portability of the device and since it is old and well known in this art (and various others) to employ battery operated device in place of alternating current. Re claim 2, Beaulieu discloses the filter. Re claims 4 and 13, Beaulieu, Valentine and Haberer disclose the reservoir. Re claim 5, to have the capacity as claimed is deemed to be an obvious matter of design in view of the inherent capacity of Beaulieu, Valentine and Haberer. This is also applicable to the subject matter of claims 5 and 14. Re claim 7, Beaulieu, Valentine and Haberer disclose the batter as claimed as proposedly modified In regard to the subject matter of claim 15; the same is deemed to be inherent as proposedly modified. Re claim 8, Beaulieu discloses the non-floating device. Re claim 11, Beaulieu discloses the spray nozzle. Re claim 12,

Art Unit: 1746

Beaulieu, Valentine and Haberer disclose the pump. Re claim 13, Beaulieu discloses the reservoir. Re claim 16 and 17, the time is deemed to be inherent in Beaulieu, Valentine and Haberer in that the device is emptied and cleaned.

3. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applied prior art as applied to claim above, and further in view of either Lee, Jr. or Chaney.

Claims 8-10 define over the applied prior art only in the recitation of the device being secured. Lee and Chaney disclose the securing means as claimed. It therefore would have been obvious to one having ordinary skill in the art to modify the device of either Beaulieu, Valentine, or Haberer, to include means to prevent the device from floating for as taught by either Lee or Chaney, for the purpose of positively maintaining the device in the proper position.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In Meze, Miyasaki, Griparis, and Reiter, note the cleaning means.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRANKIE L. STINSON whose telephone number is (703) 308-0661. The examiner can normally be reached during the first week of the pay-period M-F from 5:30 a.m. to 3:00 p.m. and during the second week of the pay-period from Tu-Th second from 5:30 a.m. to 3:00 p.m. and on Fri. from 5:30 a.m. to 2:00 p.m. Alternating Mondays off.

The fax phone number for the organization where this application or proceeding is assigned is (703) 305-7719.

Art Unit: 1746

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

Any inquiry for missing parts of this Office Action (copies of references, pages, forms etc.), contact Office Manager Ms. Sandra Sewell (703) 308-0661.

fls



FRANKIE L. STINSON
Primary Examiner
Art Unit 1746